

## Message Text

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ORIGIN OES-06

INFO OCT-01 EUR-12 EA-07 ISO-00 FEA-01 ACDA-07 AGRE-00  
AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 CIEP-01 COME-00  
DLOS-06 DODE-00 DOTE-00 EB-08 EPA-01 ERDA-05 FMC-01  
TRSE-00 H-01 INR-07 INT-05 IO-13 JUSE-00 L-03 NSAE-00  
NSC-05 NSF-01 OMB-01 PA-01 PM-04 PRS-01 SP-02 SS-15  
USIA-06 SAL-01 /129 R

DRAFTED BY OES/OFA/FA:JCPRICE:CMC

APPROVED BY OES/OFA/FA:ALZUCCA

EA/J - SECTON

EUR/CAN - JROUSE

-----250131Z 030155 /73

P 242316Z JAN 77

FM SECSTATE WASHDC

TO AMEMBASSY TOKYO PRIORITY

AMEMBASSY OTTAWA PRIORITY

INFO AMEMBASSY TAIPEI PRIORITY

AMEMBASSY SEOUL PRIORITY

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E.O. 11652: N/A

TAGS: EFIS, JA, PLOS, CA

SUBJECT: U.S. NOTICE OF INTENT TO TERMINATE INTERNATIONAL  
CONVENTION FOR THE HIGH SEAS FISHERIES OF THE NORTH PACIFIC  
OCEAN (INPFC)

1. DEPARTMENT HAS NOW RECEIVED INTERNAL CLEARANCES RE-  
QUIRED TO FILE A NOTICE OF INTENT TO TERMINATE THE INTER-  
NATIONAL CONVENTION FOR THE HIGH SEAS FISHERIES OF THE  
NORTH PACIFIC OCEAN (INPFC). PRIOR TO ACTUAL DEPOSIT OF  
SUCH NOTICE, EMBASSY IS REQUESTED TO UNDERTAKE CONSULTA-  
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TIONS WITH APPROPRIATE OFFICIALS ON POSITION WHICH WILL  
ACCOMPANY U.S. NOTICE. EMBASSY SHOULD REVIEW BACKGROUND  
AND RATIONALE FOR SUCH ACTION, REAFFIRMING U.S. HOPE FOR  
SUCCESSFUL RENEGOTIATION OF INPFC WHICH WILL PRECLUDE  
NECESSITY FOR ACTUAL TERMINATION OF CONVENTION. WHILE  
ALTERNATIVE PROPOSALS ARE NOT ANTICIPATED, SUCH ACTION IS  
NECESSARY AS FOLLOWUP TO U.S. STATEMENT AT NOVEMBER

INPFC TOKYO MEETING THAT IT INTENDED TO CONSULT WITH CONTRACTING GOVERNMENTS PRIOR TO DEPOSIT OF NOTICE.

2. FYI. THE FISHERY CONSERVATION AND MANAGEMENT ACT OF 1976 (FCMA) REQUIRES THE DEPARTMENT TO PROMPTLY RENEGOTIATE FISHERIES TREATIES TO CONFORM THEM TO THE ACT. ADDITIONALLY IT IS THE SENSE OF CONGRESS THAT THE UNITED STATES SHOULD WITHDRAW FROM ANY SUCH TREATY WHICH HAS NOT BEEN SUCCESS-

FULLY RENEGOTIATED WITHIN A REASONABLE PERIOD OF TIME FOLLOWING ENACTMENT OF THE ACT. THE PRESENT CONVENTION IS CLEARLY INCONSISTENT WITH THE FCMA IN SEVERAL RESPECTS, AND UNLESS SUCCESSFULLY RENEGOTIATED WOULD REQUIRE U.S. WITHDRAWAL. IN ORDER TO PRESERVE THIS OPTION, WHILE AT THE SAME TIME PROVIDING IMPETUS FOR RENEGOTIATION, THE U.S. HAS ANNOUNCED THAT IT WOULD FILE A NOTICE OF INTENT TO TERMINATE THE CONVENTION. UNDER ARTICLE XI OF THE CONVENTION SUCH TERMINATION WOULD BECOME EFFECTIVE FOR ALL PARTIES TWELVE MONTHS FOLLOWING THE DATE OF THE U.S. NOTICE. WE HAVE ALSO ANNOUNCED OUR INTENTION TO MAINTAIN THE OPTION OF RESCINDING THE NOTICE AT ANY TIME DURING THE TWELVE MONTHS AND WOULD DO SO IN THE EVENT THE CONVENTION IS SUCCESSFULLY RENEGOTIATED DURING 1977. END FYI.

3. IN MAKING APPROACH, EMBASSY SHOULD NOTE THAT AT IN CAMERA SESSION OF 23RD ANNUAL INPFC MEETING IN TOKYO, THE UNITED STATES ANNOUNCED ITS INTENTION TO DEPOSIT A NOTICE OF INTENT TO TERMINATE THE CONVENTION DUE TO ITS INCONSISTENCIES WITH THE FCMA, AND THAT NECESSITY FOR SUCH LIMITED OFFICIAL USE

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ACTION HAS BEEN REAFFIRMED DURING POLICY REVIEW UNDERTAKEN DURING INTERVENING PERIOD. EMBASSY SHOULD OUTLINE TO APPROPRIATE OFFICIALS ESSENTIAL ELEMENTS OF U.S. POSITION, DRAWING ON FOLLOWING POINTS:

--1. U.S. CONTINUES TO HOPE THAT OUR ACTION IN FULFILLING THIS LEGAL REQUIREMENT WILL NOT BE INTERPRETED AS AN INTENTION TO ABANDON INTERNATIONAL FISHERIES COOPERATION IN THE NORTH PACIFIC OCEAN, AND INTEND FOR OUR NOTICE CONVEY THIS POSITION.

--2. THE UNITED STATES LOOKS FORWARD TO DISCUSSIONS DURING 1977 ON FUTURE FORMS OF FISHERIES COOPERATION IN THE NORTH PACIFIC IT IS HOPED THAT SUCH DISCUSSIONS WILL RESULT IN A SUCCESSFUL RENEGOTIATION OF THE CONVENTION, THUS PRECLUDING THE NEED FOR ITS TERMINATION. INITIATION OF SUCH DISCUSSION PRIOR TO JUNE OF 1977 APPEARS DOUBTFUL DUE TO SCHEDULING PROBLEMS OF THE U.S. NEGOTIATING TEAM.

--3.. THE UNITED STATES PLANS TO SUBMISSION OF ITS NOTICE IN LOW KEY FASHION, WITHOUT ACCOMPANYING PRESS RELEASE.

4. EMBASSY IS REQUESTED TO CONVEY CONSENSUS ON U.S. VIEW  
ASAP IN ORDER TO MAKE POSSIBLE DEPOSIT OF U.S. NOTICE AND  
EARLY 1977 INITIATION OF TWELVE MONTH PERIOD NOTED ABOVE.

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## Message Attributes

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**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
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**Executive Order:** N/A  
**Errors:** N/A  
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**Original Classification:** LIMITED OFFICIAL USE  
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**Subject:** U.S. NOTICE OF INTENT TO TERMINATE INTERNATIONAL CONVENTION FOR THE HIGH SEAS FISHERIES OF THE NORTH PACIFIC OCEAN (INPFC)  
**TAGS:** EFIS, PLOS, JA, CA, INPFC  
**To:** TOKYO OTTAWA  
**Type:** TE  
**vdkgvkey:** odbc://SAS/SAS.dbo.SAS\_Docs/130c2bd2-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Margaret P. Grafeld  
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22 May 2009  
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